



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Feeney, et al.	Examiner:	Ig Tai An
Application No.:	10/676,340	Art Unit:	3687
Confirm. No.:	7155	Docket No.:	577-583
Filing Date:	October 1, 2003		
For:	VIRTUAL WAREHOUSE SYSTEM		

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**DECLARATION OF PRIOR INVENTION IN THE UNITED STATES
UNDER 37 CFR 1.131 TO OVERCOME CITED PUBLICATION**

1. This declaration is submitted in response to the final Office Action, mailed on November 5, 2008, to establish completion of our invention in the United States at a date prior to November 1, 2001, the effective date of United States Patent Application Pub. No. 2003/0083890 to Duncan et al., which was cited by the Examiner.
2. The persons making this declaration are the inventors.
3. Prior to November 1, 2001, we conceived the present invention and prepared a document titled, "Virtual Warehouse," which describes the virtual warehouse system that is claimed in the present patent application (a copy of relevant portions of this document is attached hereto as Exhibit A).

Application Serial No. 10/676,340
Declaration Under 37 C.F.R. 1.131

Docket No. 577-583

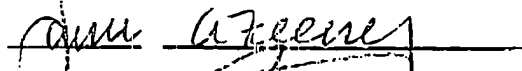
4. The Virtual Warehouse document describes the operation of the system and substantial portions of this document were incorporated in the specification of our patent application. For example, FIGs. 3 and 6-10 of the application are substantially the same as the illustration in the Virtual Warehouse document.

5. From the conception and reduction to practice of the present invention, prior to November , 2001, until the provisional application, from which the present patent application claims priority, was filed on December 6, 2002, we worked continuously and diligently on perfecting the present invention.

6. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

First inventor: James Feeney

Inventor's signature:



Date: November , 2008

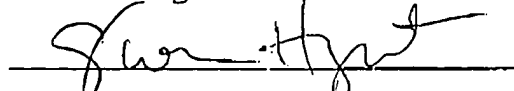
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Second inventor: Gwen Hight

Inventor's signature:



Date: November 20, 2008

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EXHIBIT A

VIRTUAL WAREHOUSE

DOCUMENTATION

Project Lead: Gwen Hight

T & B



OVERVIEW



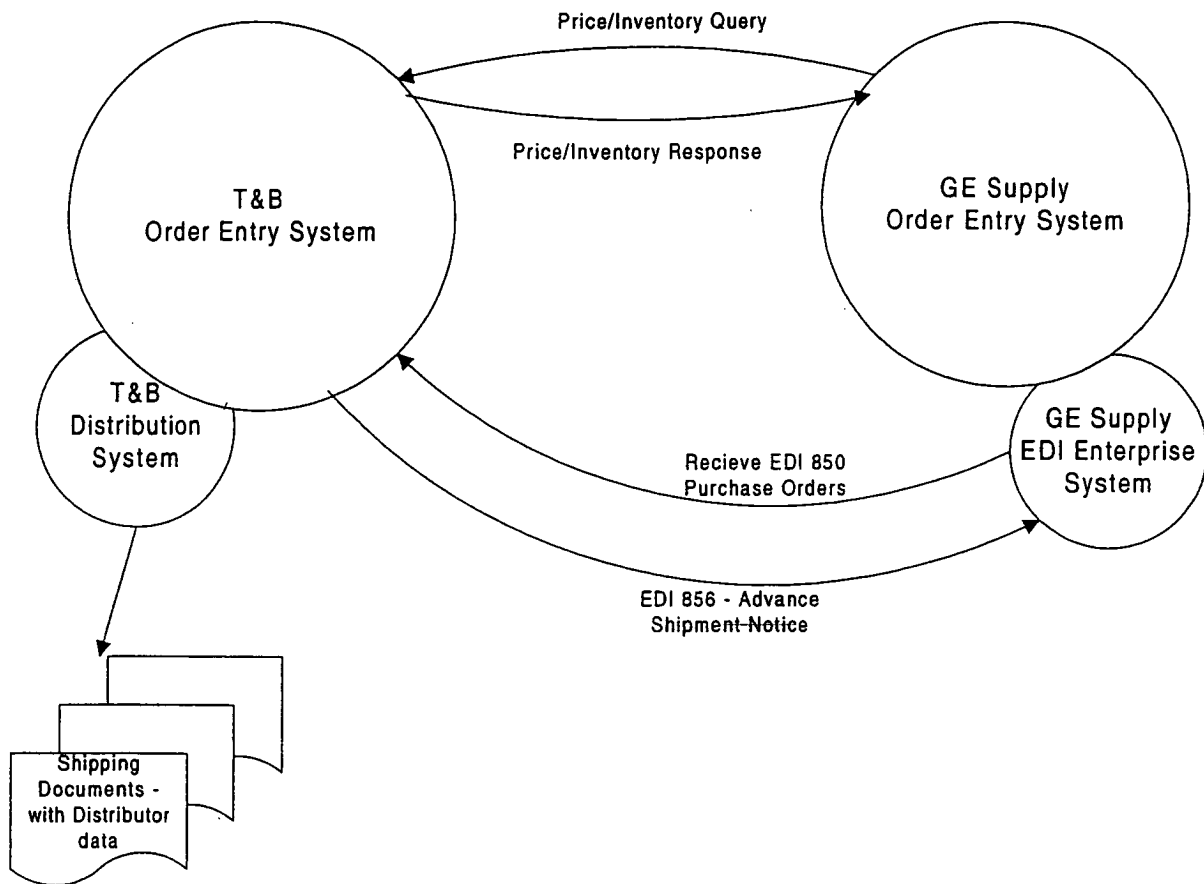
Patent Dept.

The Virtual Warehouse System is designed to give our trading partner distributors, the ability to complement their local physical inventory by utilizing T & B Distribution Centers as a "logical" rather than "physical" remote distributor warehouses. The Distributors will be able to view price and inventory availability information, then place a drop-ship order from T&B which will send the product directly from the T&B Distribution Center to the End-Customer. T&B distribution centers will generate "custom" labels and shipping documents (from data provided via EDI with the Distributor Purchase Order) as if they were printed at the Distributor's warehouse. G.E. Supply will be the first distributor to be implemented on this system.

Major elements of the Virtual Warehouse process are:

1. Distributor's computer system will access T&B computers with near "real-time" response to determine inventory availability by Catalog Number and the price for the product.
2. The Distributor will generate an EDI Purchase Order to T&B, identified as a Virtual Warehouse Drop-Ship Order, along with additional Distributor specific data that would be printed on the Distributor's Original Shipping documents (labels / shipping papers / graphic logo's / etc). The concept is to design a "Custom" form that will contain Distributor specific data, and appear to have been generated at the Distributor's own warehouse facility.
3. T&B will store the same standard Distributor Purchase Order data as we do today in addition to the Distributor specific data required to support the End-Customer identified as the drop-ship order.
4. T&B will drop-ship the order directly to the End-Customer with the associated shipping labels and documents, which will reference the Distributor's data provided with the Purchase Order – as if the product was shipped directly from the Distributor's warehouse.

Process Design Diagram:

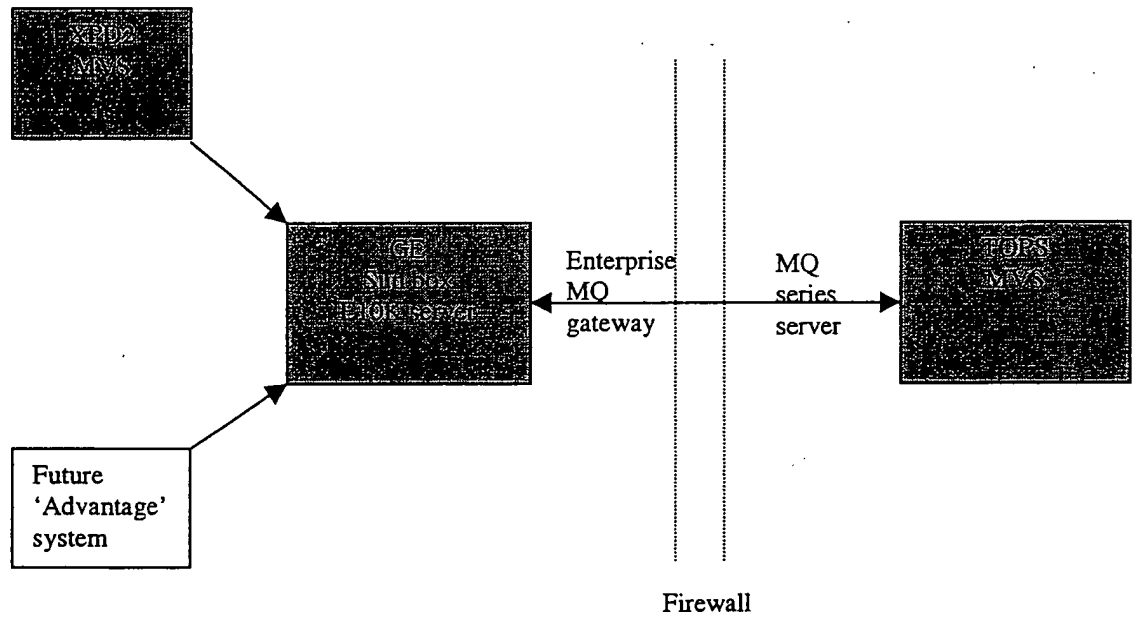


Business Rules for Virtual Warehouse Orders

- 1) Price and product availability information will be supplied to GE Supply through an on-line inquiry process. This process will gather its information using the same rules and policies that are applied at order entry.
- 2) GE Supply will send EDI Purchase Orders on a real-time basis using Gentran Real-Time EDI software to receive the orders.
- 3) EDI PO's will include the standard data, plus distributor specific data required for printing on the labels and shipping documents.
- 4) T&B will generate a standard EDI Purchase Order Acknowledgement to send to GE Supply.
- 5) EDI order changes are not supported by EDI order entry.
- 6) T&B will send the EDI Advance Shipment Notice to GE Supply once the order has been shipped.
- 7) Orders/ line items are not required to ship 100% complete. Partial shipments will be processed with whatever quantity is available to ship. In the event of a partial shipment or there is no quantity available to ship then an error process will occur which will send an email notification to a T&B representative who will call GES to inform them of the order problem and the quantity that was shipped. The GES representative will make the determination whether the remaining quantity will be backordered, or if the line will be cancelled.
- 8) The shipping labels and packing list will be printed with the distributor's logo and the data will be printed as if the product(s) were shipped directly from the distributor.
- 9) Orders will be shipped from the Byhalia distributing branch initially and no branching will be allowed until other T&B distributing branches are set up to handle virtual warehouse orders.
- 10) Virtual warehouse orders will be put into waves where they will be processed with other special wave types.
- 11) The shipping method will be determined by the distributor / customer.
- 12) All virtual warehouse orders must ship within 24 hours from the customer requested ship date.
- 13) All virtual warehouse orders will abide by the minimum / multiple order quantity policies.
- 14) Carton lot rounding rules will not apply to any virtual warehouse order.
- 15) Regular freight charges will be applied plus a \$25 handling fee for virtual warehouse orders.
- 16) Only domestic shipments will be allowed for virtual warehouse orders.
- 17) Returns will be processed through the normal return materials process.

Price / Inventory Query Process

Inquiry Communication Architecture



Key Input Components Of the Query:

Duns - Number (9 – positions) + Branch (4 – positions)

A valid Duns Number is required along with a valid Branch Number to determine the T&B customer number to be used for the transaction. This is used to determine the T&B customer number.

Catalog Number - The Catalog Number must have a valid value that exists on the T&B System

Requested Quantity - The value entered in this field is important for determining price breaks.

Quote – ID - A quote may be referenced. This is the T&B Quote-ID and is for those items that have a quote number and a quoted price. The quote must be an active and valid quote.

Major Output Components:

Item price – The price returned will be the price per unit for the product.

- If a quote is referenced in the input data, the price will be based on the quote if the quote is valid for that customer and that product. If the quote is invalid then the price will be based on the regular pricing rules that apply to that customer for that product.
- If the quantity that is given for the inquiry is less than the minimum order quantity or is not an acceptable quantity based on the multiple quantity regulations for that product, then the quantity will be adjusted and the price that is returned will be based on the new quantity.

Unit of measure – This is the price unit of measure

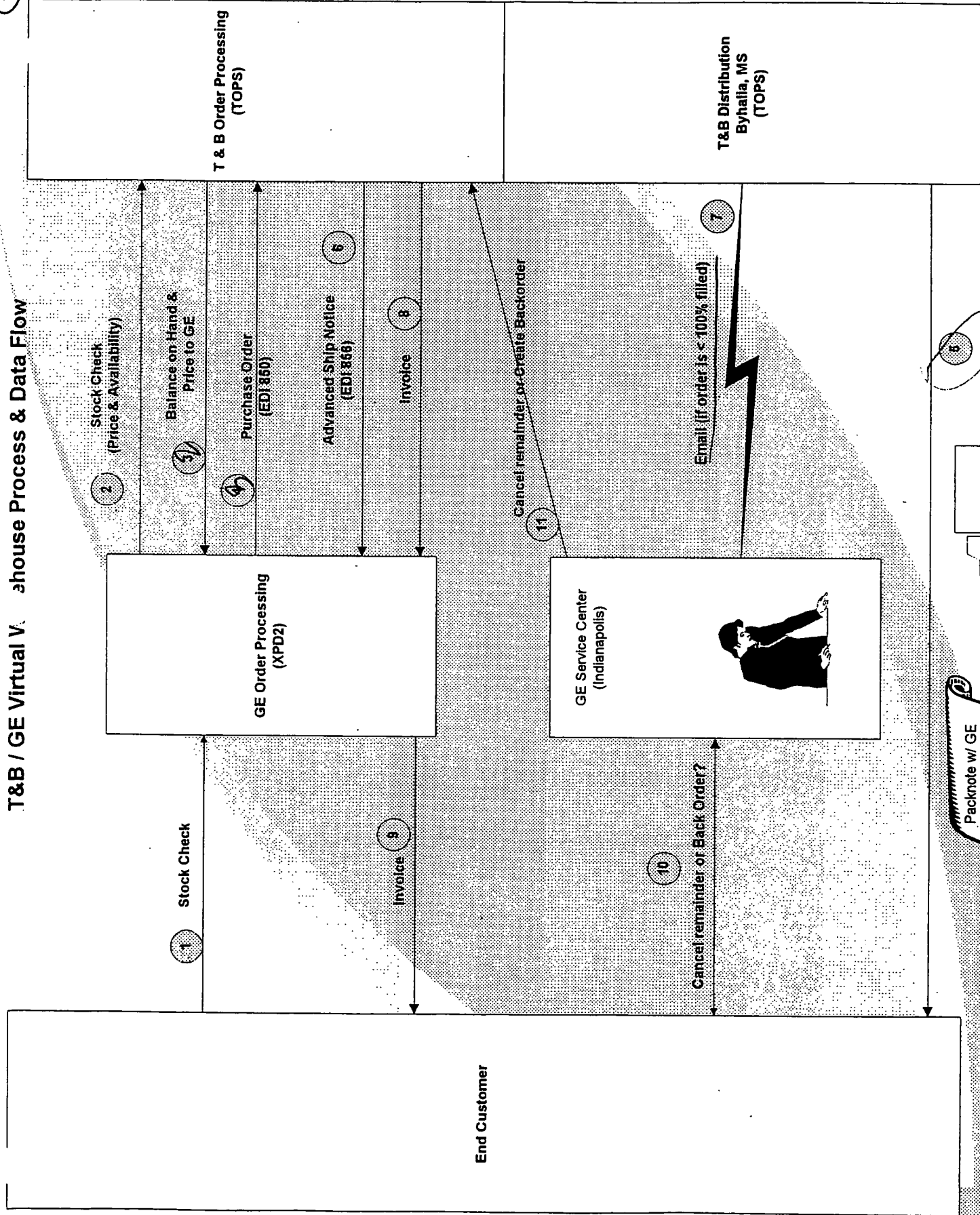
Available quantity - This is how much of the product is available for the Distributor to purchase.

- Minimum/ multiple order quantity policies will apply. If the quantity that is given for the inquiry is less than the minimum order quantity or is not an acceptable quantity based on the multiple quantity regulations for that product, then the quantity will be rounded up to the nearest quantity that is acceptable for these policies.

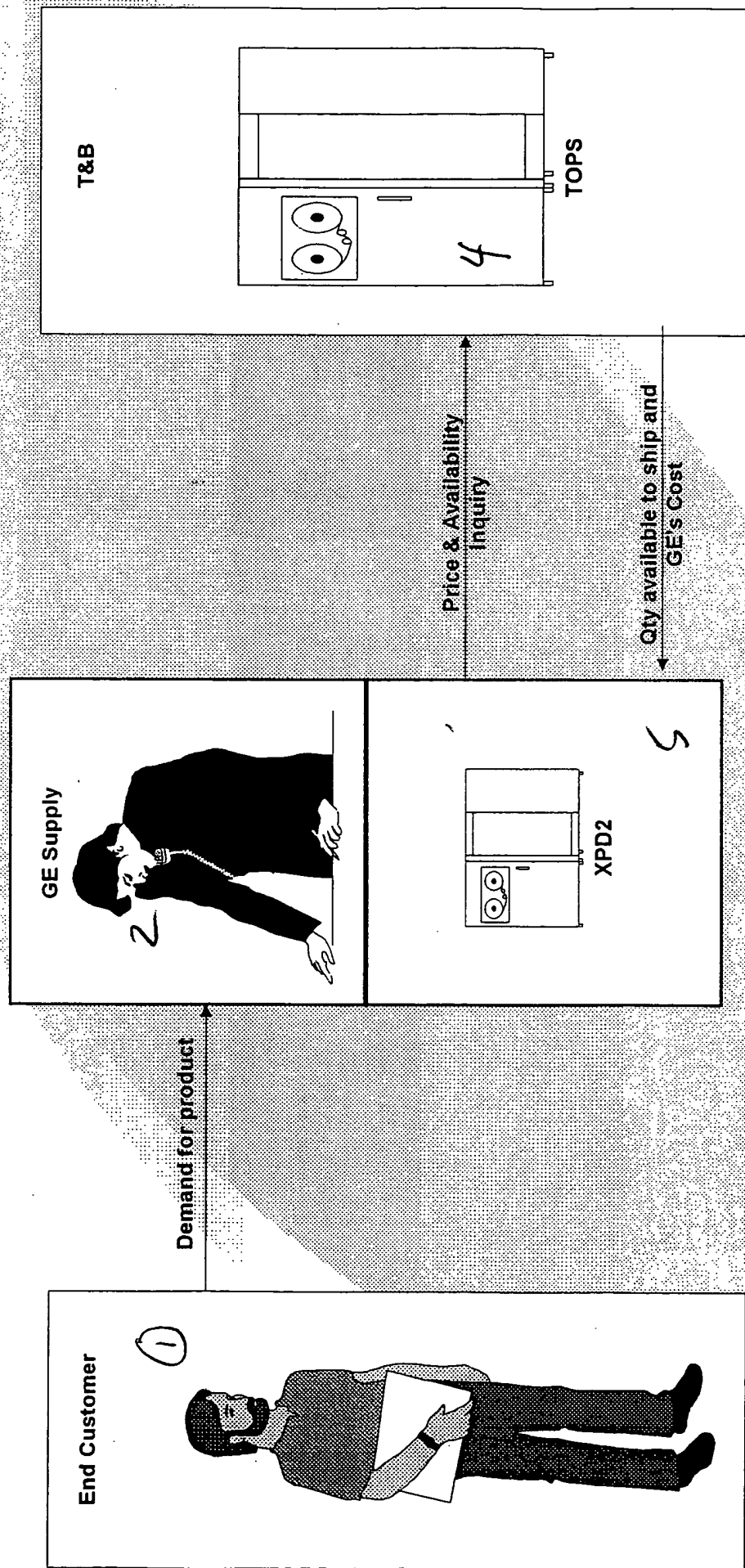
Price break information – In cases where the prices is dependent upon the quantity purchased, the variable prices and the ranges of the quantities for these prices will also be returned.

T&B / GE Virtual Warehouse Process & Data Flow

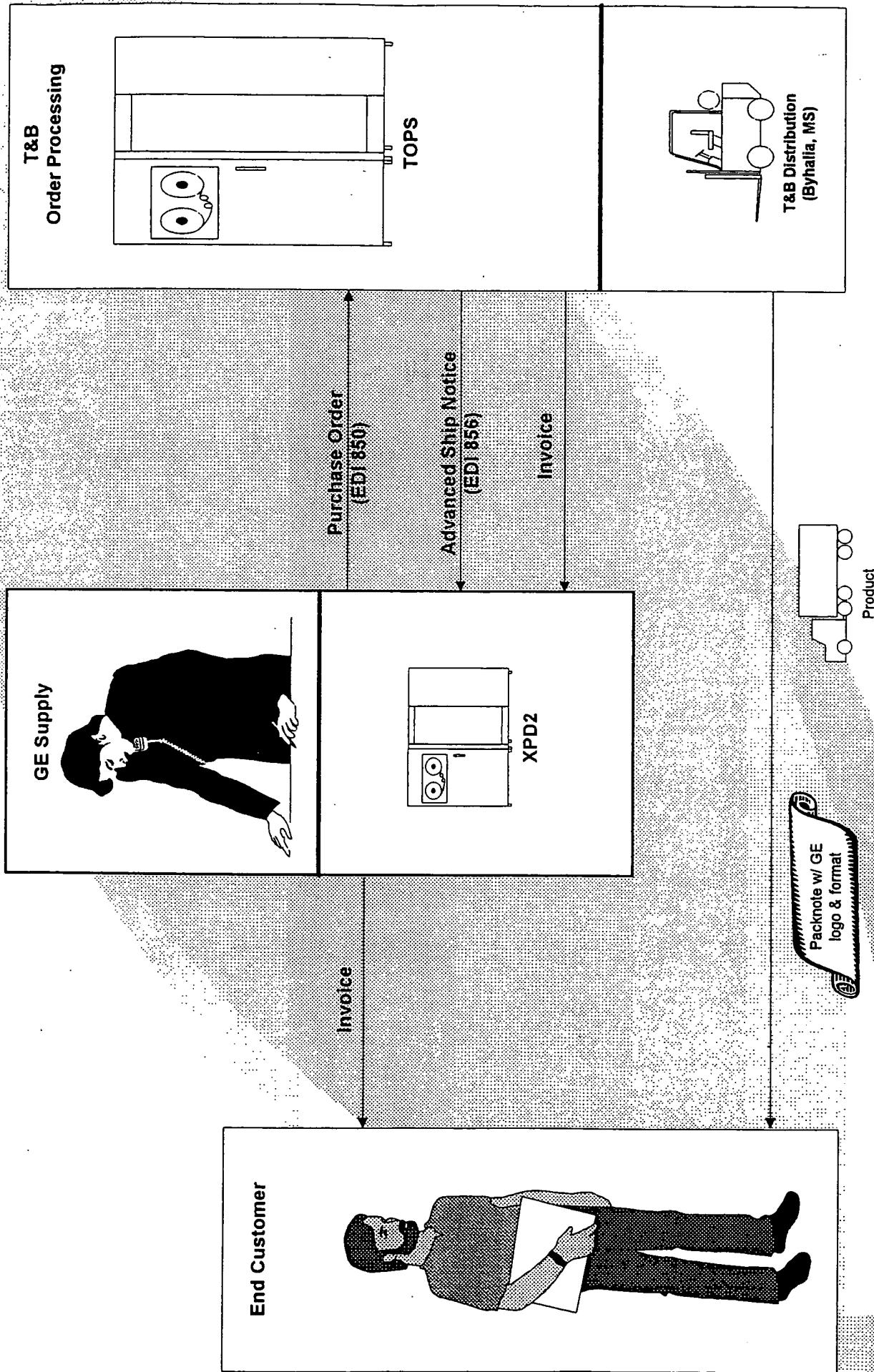
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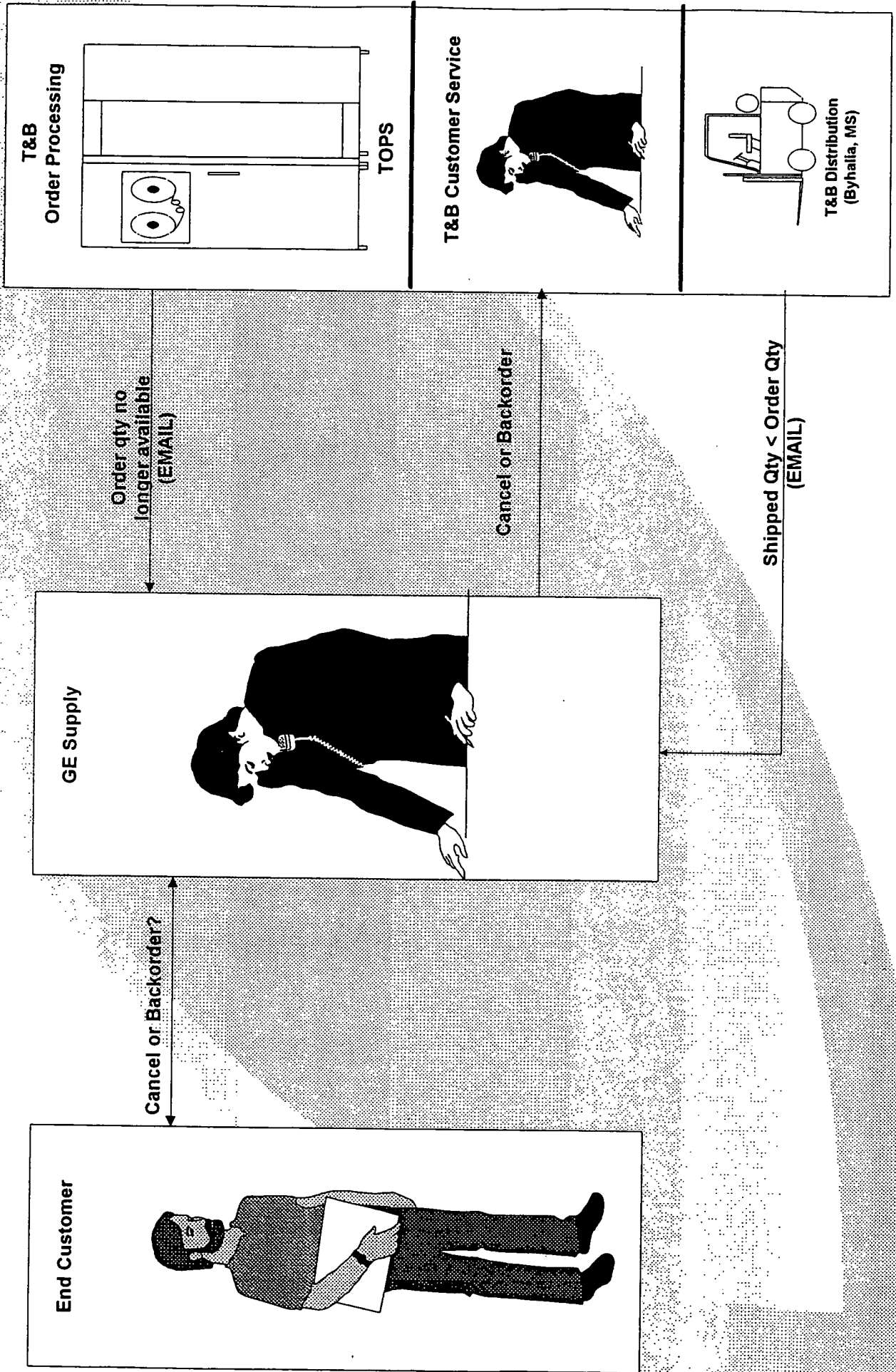
T&B / GE Virtual Warehouse
Step-1 Price & Availability Inquiry



**T&B / GE Virtual Warehouse
Step-2 Order Entry & Fulfillment**



T&B / GE Virtual Warehouse
Step-3 Problem Communication and Resolution



GE LK HERE

SENT
REMIT TO ADDRESS LINE 1
REMIT TO ADDRESS LINE 2
REMIT TO ADDRESS LINE 3
REMIT TO ADDRESS LINE 4

INVOICE NUMBER AND INVOICE DATE TO
100 of 100
CUSTOMER REFERENCE
SHIPPER'S NUMBER
DATE

GE Supply

PRINT DATE	CUSTOMER NUMBER	CUSTOMER ORDER NUMBER AND DATE	JOB NUMBER	GE SUPPLY ORDER NO.	REL. NO.	PAGE	CUSTOMER REFERENCE
	123456789012	12345678901234567890	12345	123456789012		100 of 100	
VENDOR ID	INVOICE NUMBER	INVOICE DATE	DATE SHIPPED	SHIPPED FROM	SHIPPED VIA	CUSTOMER REQ DATE	SHIPPER'S NUMBER
1234567890123	123456789012				1234		12345678901 1234567890
BILLED TO							
BILL TO ADDRESS LINE 1							
SHIP TO ADDRESS LINE 1							
BILL TO ADDRESS LINE 2							
SHIP TO ADDRESS LINE 2							
BILL TO ADDRESS LINE 3							
SHIP TO ADDRESS LINE 3							
BILL TO ADDRESS LINE 4							
SHIP TO ADDRESS LINE 4							
CUSTOMER REQUEST SHIP VIA							
HEADER LINE 1							
60 SPACES							
HEADER LINE 2							
60 SPACES							
LINE NO.	QUANTITY ORDERED	U/M	NO. CTNS	CATALOG NUMBER - DESCRIPTION	QUANTITY SHIPPED	UNIT PRICE	EXTENDED AMOUNT
				1234567890123456789012345678901234567890			
TOTAL							
SALE OF ANY GOODS COVERED BY THIS INSTRUMENT IS CONDITIONED ON THE TERMS AND CONDITIONS CONTAINED HEREIN INCLUDING....							
MISC. CHARGES							
SHIPPING / HANDLING							
OTHER							